

REMARKS

This Amendment is submitted in response to the final Office Action mailed on May 27, 2009. A Request for Continued Examination is submitted herewith. The Director is authorized to charge the RCE fee and any additional fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-389 on the account statement.

Claims 47-51, 53-55, 58-60, 78 and 80-92 are pending in this application. Claims 1-46, 52 and 79 were canceled without prejudice or disclaimer, and Claims 56-57 and 61-77 were withdrawn from consideration. In the Office Action, Claims 55 and 82 are rejected under 35 U.S.C. §112, second paragraph. Claims 47-51, 53-55, 58-60, 78 and 80-92 are rejected under 35 U.S.C. §103. In response, Claims 47, 55, 58, 78, 80 and 82 have been amended. The amendments do not add new matter. At least in view of the amendments and/or for the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claims 55 and 82 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 55 has been amended to address the antecedent basis objection to the phrase “the current collector.” Claim 82 has been amended for clarification purposes as well. In particular, Claim 82 has been amended to recite wherein the separator includes a radiating fin for dissipating heat of the power generator; and the water-absorbing member includes a region extended from a surface of the radiating fin of the separator such and another region that covers at least a part of the oxidizer supply groove. One nonlimiting example of Claim 82 is shown in Fig. 9 of the present application. For clarification purposes, applicants note that in the present Specification, both the separator (element 110 in Fig. 9 and element 110 in Fig. 15) and the water-absorbing member (element 120) are indicated as having a “radiating fin.” Page 36, lines 14-16 of the Specification describes the “water-absorbing cloth 120 ... having a radiating fin,” and page 45, lines 18-19 describes “[t]he separator 110 has a radiating fin 182.” As shown best in Figs. 8 and 9, these radiating fins are the portions that extend to the right of the area having the air supply grooves 116, and the radiating fin portion of the water absorbing cloth 120 is formed on the radiating fin of the separator 110 (also shown as element 182 in Fig. 15).

Accordingly, applicants respectfully submit that the 35 U.S.C. §112 rejections of Claims 55 and 82 have been overcome and request withdrawal of same.

In the Office Action, Claims 47-51, 53, 58-59, 78-81, 83-84, 88-89 and 91-92 are rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent Publication JP 02-168565 to Sakakibara et al. ("Sakakibara") in view of U.S. Patent No. 6,447,945 to Streckert et al. ("Streckert"). In response, Applicants have amended independent Claims 47, 58 and 78. At least in view of the amendments and/or for the reasons set forth below, Applicants respectfully submit that Sakakibara and Streckert fail to disclose or suggest each and every element of independent Claims 47, 58 and 78 and Claims 48-51, 59, 79-81, 83-84, 88-89 and 91-92 that depend therefrom.

Independent Claims 47 and 58 have been similarly amended to recite, at least in part, wherein the water-absorbing member is provided on and is substantially coplanar with an external major surface of an electronic device to which the power generator is mounted, as being extended from the surface, and wherein an exposed surface area of the water-absorbing member is larger than a surface area of the power generator. Also, currently amended independent Claim 78 recites, in part, a power generation apparatus comprising: a water-absorbing member for absorbing water generated during power generation by the power generator, provided at least on a midway portion of and provided to be substantially coplanar with the oxidizer supply groove, the water-absorbing member extending in a direction substantially perpendicular to a direction of the oxidizer supply groove, wherein the water-absorbing member is provided on a surface of an electronic device to which the power generator is mounted, as being extended from the surface. These Amendments do not add new matter. The Amendments are supported in the Specification at, for example, page 3, paragraph 29; page 7, paragraph 102; page 8, paragraphs 104-105; Figs. 2-5 and 8-9.

By providing the water-absorbing member on a surface of an electronic device, the water recovered by the water-absorbing member may be more easily or quickly evaporated due to the large surface area of the electronic device. See, Specification, page 8, paragraph 105, lines 32-38. Furthermore, the water can be removed from the electronic device without providing another device for discharging the water. (See, Specification, page 8, paragraph 105, lines 38-41). In contrast, Sakakibara and Streckert fail to disclose or suggest every element of the present claims.

Sakakibara fails to disclose or suggest a water-absorbing member provided on a surface of an electronic device to which the power generator is mounted, as being extended from the surface as recited, in part, by independent Claims 47, 58 and 78. The Patent Office admits that Sakakibara fails to teach that its water-absorbing member is provided on a surface of an electronic device to which the power generator is mounted, as being extended therefrom and instead relies on Streckert for the disclosure of the claimed element. (See, Office Action, page 7, lines 12-14). With regard to Claims 47 and 58, Sakakibara also fails to disclose or suggest wherein the water-absorbing member is provided on and is substantially coplanar with an external major surface of an electronic device to which the power generator is mounted, as being extended from the surface, wherein an exposed surface area of the water-absorbing member is larger than a surface area of the power generator. With regard to Claim 78 Sakakibara also fails to disclose or suggest a water-absorbing member for absorbing water generated during power generation by the power generator, provided at least on a midway portion of and provided to be substantially coplanar with the oxidizer supply groove, the water-absorbing member extending in a direction substantially perpendicular to a direction of the oxidizer supply groove.

Streckert fails to cure the deficiencies of Sakakibara, even assuming that the references are properly combinable. Streckert merely discloses a wick disposed in a porous tube that is provided along the two side edges of a laptop computer lid with openings in the side edges to expose the wick to the outside air. (See, Streckert, column 5, lines 16-31; column 6, lines 4-47; Figs. 3-4 and 8-9). With regard to Claims 47 and 58, Streckert fails to disclose or suggest wherein the water-absorbing member is provided on and is substantially coplanar with an external major surface of an electronic device to which the power generator is mounted, as being extended from the surface, wherein an exposed surface area of the water-absorbing member is larger than a surface area of the power generator. As mentioned above, Streckert only disclosing placing a wick 43 on the side edge of the laptop computer cover. Moreover, it is apparent that the surface area of the wick 43 is much less than the surface area of the power generator. As mentioned in the present Specification, “the water-absorbing member 18 moves the absorbed water to the surface of an electronic device, which is larger than the surface of the power generator 10,” and by “disposing the water-absorbing member 18 on the electronic device having a larger area, and makes it possible to allow the water-absorbing member 18 to constantly evaporate the water.” (See, Specification, pg. 22, lines 24-29).

With regard to Claim 78 Streckert also fails to disclose or suggest a water-absorbing member for absorbing water generated during power generation by the power generator, provided at least on a midway portion of and provided to be substantially coplanar with the oxidizer supply groove, the water-absorbing member extending in a direction substantially perpendicular to a direction of the oxidizer supply groove. Also, as mentioned above, the primary Sakakibara only appears to disclose that water absorption layer 13 is located in the trench portion of oxidant feeding grooves 11, and not perpendicular to same. (See, Sakakibara, Figs. 1A-1B). In contrast, as shown in the nonlimiting example of Fig. 8 of the presently claimed invention, the fingers of the water absorbing cloth 120 extend in a direction perpendicular to the air supply grooves 116.

Accordingly, Applicants respectfully request that the rejection of Claims 47-51, 53, 58-59, 78-81, 83-84, 88-89 and 91-92 under 35 U.S.C. §103(a) to Sakakibara and Streckert be withdrawn.

In the Office Action, Claims 54, 85 and 86 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakibara in view of Streckert and further in view of U.S. Patent No. 6,613,467 to Chizawa et al. ("Chizawa"). Applicants respectfully submit that, even if combinable, the cited references fail to disclose or suggest each and every element of Claim 54.

As discussed previously, Sakakibara and Streckert fail to disclose or suggest several elements of independent Claim 47 from which Claim 54 depends, and of independent Claim 78 from which Claim 85 and 86 depend. The Patent Office relies on Chizawa merely as support for providing the water-retaining member between the water-absorbing member and the electronic device. (See, Office Action, page 8). Thus, Applicants respectfully submit that, even if properly combinable, Chizawa fails to remedy the deficiencies of Sakakibara and Streckert with respect to Claim 54.

Accordingly, Applicants respectfully request that the rejection of Claims 54, 85 and 96 under 35 U.S.C. §103(a) to Sakakibara, Streckert and Chizawa be withdrawn.

In the Office Action, Claims 55, 60 and 90 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakibara and Streckert in further view of U.S. Patent No. 5,350,463 to Imahashi et al. ("Imahashi"). Applicants respectfully submit that, even if combinable, the cited references fail to disclose or suggest each and every element of Claims 55, 60 and 90.

As discussed previously, Sakakibara and Streckert fail to disclose or suggest several elements of independent Claim 47 from which Claims 55 and 60 depend, and of independent Claim 78 from which Claims 90 depends. The Patent Office relies on Imahashi merely as support for: (1) providing the water-absorbing layer between a diffusion layer and the current collector; and (2) using hydrogen as the fuel gas. (See, Office Action, page 9, lines 9-16 and 19-24). Thus, Applicants respectfully submit that, even if properly combinable, Imahashi fails to remedy the deficiencies of Sakakibara with respect to Claims 55, 60 and 90.

Accordingly, Applicants respectfully request that the rejection of Claims 55, 60 and 90 under 35 U.S.C. §103(a) to Sakakibara, Streckert and Imahashi be withdrawn.

In the Office Action, Claim 87 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sakakibara and Streckert and in further view of U.S. Patent No. 6,660,419 to Nishida et al. ("Nishida"). Applicants respectfully submit that, even if combinable, the cited references fail to disclose or suggest each and every element of Claim 87.

As discussed previously, Sakakibara and Streckert fail to disclose or suggest elements of amended independent Claim 78, from which Claim 87 depends. The Patent Office relies on Nishida merely as support for roughening the surface of the oxidizer supply groove. See, Office Action, page 12, lines 1-7. Thus, Applicants respectfully submit that, even if properly combinable, Nishida fails to remedy the deficiencies of Sakakibara and Streckert with respect to Claim 87.

Accordingly, Applicants respectfully request that the rejection of Claim 87 under 35 U.S.C. §103(a) to Sakakibara and Nishida be withdrawn.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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